

**WASHINGTON DEPARTMENT OF ECOLOGY**  
**Agricultural Burning Rule Advisory Committee Meeting**  
**January 11, 2006 10:00 – 4:00**  
Washington Department of Transportation, Spokane Office

**SUMMARY**

**In attendance**

Larry Cochran	WA Conservation Districts	<u>Staff</u>	
Bob Gore	Department of Agriculture	Melissa McEachron	Ecology
Michael Ingham	Alfalfa Seed Growers	Lori Isenberg	facilitator
Michael Bush	WSU- Extension		
Jay Penner	Wheat Growers		
Dave Lauer	Clean Air Authorities (BCAA)		
Grant Pfeifer	Department of Ecology		
Tim Conner	Save Our Summers		
Bill Johnston	WSU- Crop & Soil Sciences		
Sverre Vedal MD	Environmental and Occupational Health		
Jeff Schibel	Irrigated Community		

**Assignments**

- Jay Penner will put his concerns in writing and send them to Melissa for review and consideration prior to the Feb. 10 meeting.
- Melissa will arrange for an economist to come to the Feb. 10 meeting to provide information and answer questions.

**Opening**

Lori Isenberg welcomed the group and gave a brief overview of the purpose of the meeting. Melissa gave an overview of progress to date and the agenda for today.

Jay Penner brought up some concerns and issues which he related to the October meeting discussion on the reporting mechanism (173-430), as well as some broader issues related to “fairness”. The group discussed his concerns with mixed and determined more specific information was needed for an effective discussion. Jay will send his concerns to Melissa prior to the next meeting.

**Exceptions, Definitions, Burning Requirements and Permit Conditions**

The group discussed the remaining exceptions, definitions, burning requirements, and permit conditions. (RCW 70.94.745) and made some edits. The revised document will be reviewed at the next meeting. Edits made during the meetings are noted below.

Section 020(5) [with suggested changes from 11/10]

(5) Burning of organic debris related to agricultural activities requires a permit and fee, except for agricultural burning that is incidental to commercial activities (RCW 70.94.745). Growers burning under the incidental agricultural burning exception must still notify the local fire department within the area and not burn during an air pollution episode or any stage of impaired air quality. The specific types of burning that qualify as exceptions to the permit requirement are:

(a) orchard prunings. An orchard pruning is a routine and periodic operation to remove overly vigorous or non-fruiting tree limbs and branches to improve fruit quality, facilitate tree canopy training and improve the management of plant disease and pest infestations.

(b) organic debris along fencelines. A fenceline or fencerow is the area bordering a commercial agricultural field that is ~~or would be~~ unworkable by equipment.

(c) organic debris along or in irrigation or drainage ditches. An irrigation or drainage ditch is a waterway which predictably carries water (not necessarily continuously) and is unworkable by equipment used to cultivate the adjacent field.

Ideas for Improvement:

The group thought this should be handled at the local level. Ecology wants to try to find a way have the potential burner take into consideration the impacts to air quality and visibility. The suggestion was made to repeat the verbiage in 070d; the group agreed with that suggestion.

**Suggested Language folded into WAC:** (using the track changes feature)

WAC 173-430-030

**(1)Agricultural Burning** - Means the burning of vegetative debris from an agricultural operation necessary for disease or pest control, necessary for crop propagation and/or crop rotation, or where identified as a best management practice by the agricultural burning practices and research task force established in RCW 70.94.650 or other authoritative source on agricultural practices.

Propane flaming for the purpose of vegetative debris removal is considered commercial agricultural burning.(The group discussed the need to have the Task Force address this in the BMPs.)

**(2)Agricultural Operation** - Means a farmer who can substantiate that the operation is commercial agriculture by showing the most recent year's IRS schedule F form or showing a minimum sales of ??? on land designated for agricultural use. It also includes burning conducted by irrigation district or drainage district personnel as part of water system management.

(The group provided Ecology with their intent. Ecology will work on developing an appropriate definition. . . refer to FSA )

**(7)Farmer** - Means any person engaged in the business of growing or producing for sale any agricultural product upon their own lands or upon the land in which they have a present right of possession. Farmer does not mean persons using such products as ingredients in a manufacturing process, or persons growing or producing such products primarily for their own consumption.

(The group provided Ecology with their intent. Ecology will work on developing appropriate wording)

**(9)Permitting Authority** - Means ecology or its delegate or a local air authority with jurisdiction or its delegate. Conservation districts, counties, fire districts, or fire protection agencies may receive delegation for all or portions of the agricultural burning permit program as identified in a delegation agreement. The permitting authority will issue agricultural burning permits for a given locale.

**Discussion on Public Information Needs**

The group began discussion on the Notification and Education components. The focus was mostly on the first item- sensitive individuals.

- Bob Gore gave an overview of the pesticide registry and notification for sensitive individuals.
  - An individual signs up with the registry and is notified by the applicator if and when spraying is to occur.
  - Targeted at commercial licensed applicators (Mike Ingham pointed out that private applicators are not included)
  - Geared for urban area spraying
  - About 60 people on registry
- Grant gave a brief overview on how Ecology is currently handling notification

- The group began asking questions and generating ideas for improvement.

**Topics for Feb. 10**

- Follow-up on work from this meeting
- Continued discussion of Notification and Education components
- Discuss Jay's concerns
- Presentation and Q&A by the Economist